

REMARKS

This Application has been carefully reviewed in light of the final Office Action electronically mailed March 1, 2007 (the "Office Action"). At the time of the Office Action, Claims 1, 3-9, 11 and 13-19 were pending in the Application. The Office Action rejects Claims 1, 3-9, 11 and 13-19 and objects to Claims 1, 7, 11 and 17. In order to advance prosecution of this Application, Applicants amend Claims 1, 7, 11 and 17. Applicants respectfully request reconsideration and favorable action in this case.

Claim Objections

The Office Action objects to Claims 1, 7, 11 and 17 because of informalities. Applicants have amended Claims 1 and 11 as suggested by the Office Action. Applicants also amended Claims 7 and 17 to add "of" where suggested by the Office Action. However, Applicants did not amend these claims to change "second number" to "first number," because these elements refer to specific numbers and Applicants want to ensure that the "second number" may (but do not have to be) different numbers than the "first number" recited in other claims. Applicants respectfully request withdrawal of these claim objections.

Section 102 Rejection

The Office Action rejects Claims 1, 3-5, 7-9, 11, 13-15 and 17-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,072,580 B2 issued to Arecco et al ("*Arecco*"). The Office Action rejects Claims 6 and 16 under 35 U.S.C. § 103(a) as being unpatentable over *Arecco* in view of U.S. Patent No. 5,612,805A issued to Fevrier et al ("*Fevrier*"). Applicants respectfully traverse these rejections.

Claim 1 recites wherein the second RIC node is inactive under normal system operation and not operable to communicate optical traffic between the first and second optical ring networks when the first RIC node is able to communicate optical traffic between the first and second optical ring networks. Claim 11 recites similar elements. The elements of *Arecco* that the Office Action contends are a second RIC node (nodes E and E' of *Arecco*) receive and drop signals between Network 1 and Network 2 of *Arecco* in a normal operative condition even when the elements of *Arecco* contended to be a first RIC node (nodes D and

D') are receiving and dropping signals between Network 1 and Network 2. *See, e.g., Arecco*, col. 27, lines 3-52. *Arecco* does not disclose a second RIC node inactive under normal system operation and not operable to communicate optical traffic between the first and second optical ring networks when a first RIC node is able to communicate optical traffic between the first and second optical ring networks. Therefore, Applicants respectfully submit that Claims 1 and 11 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 3-5 and 7-9 each depends from Claim 1, and Claims 13-15 and 17-19 each depends from Claim 11. Thus, for at least the reasons discussed above with respect to Claims 1 and 11, Applicants respectfully request that the rejections of Claims 3-5, 7-9, 13-15 and 17-19 be withdrawn.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Chad C. Walters, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L. L. P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Chad C. Walters", with a stylized flourish extending to the right.

Chad C. Walters
Reg. No. 48,022
(214) 953-6511

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Customer Number: 05073